



January 29, 2021

The Honorable Richard G. Andrews
United States District Court
For the District of Delaware
J. Caleb Boggs Federal Building
Wilmington, DE 19801-3555

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Re: *First Quality Tissue, LLC v. Irving Consumer Products Ltd., et al*, No. 19-428-RGA (D. Del.)

Dear Judge Andrews:

First Quality provides this letter in response to the Court's January 28, 2020, Oral Order (D.I. 188). In response to the Court's question asking "is there any documentation (such as an email or a letter) that tells Amster Dr. Malburg was doing the work, or any documentation that tells Dr. Malburg that he was doing the work for transmission (in whatever fashion) to Amster or any other lawyers," the answer is that Amster and Dr. Malburg were all aware that Dr. Malburg was doing the work for transmission to Amster for patent advice and the documents and Declarations submitted herewith demonstrate that fact.

In response to the Court's direction that "[i]f there is, and the Court already has it, Plaintiff should cite it by Bates No. and in which submission the Court can find it," First Quality responds as follows: The documents identified immediately below were previously submitted to Your Honor for *in camera* review on November 13, 2020 in connection with First Quality's Memorandum in Support of Objection to Special Master Order #7 Regarding Privileged Documents (D.I. 159):

- FIR_QUA_ECA0000000317
- FIR_QUA_ECA0000018743
- FIR_QUA_ECA0001907175
- FIR_QUA_ECA0001907191
- FIR_QUA_ECA0002049253

In response to the Court's direction that "[i]f there is, but the Court does not already have it, Plaintiff should submit it to the Court *ex parte*," First Quality has today provided additional documents to Your Honor for *in camera* review that further address the question asked.

As this issue is of great importance to First Quality, First Quality also provides the Declaration of Dr. Mark Malburg and the Declaration of attorney Matthieu Hausig from the Amster law firm as Exhibits 1 and 2 to this letter, respectively. These declarations reference some of the documents submitted to Your Honor today for *in camera* review.



Respectfully submitted

/s/ Warren K. Mabey Jr.

Warren K. Mabey Jr. (#5775)